



Montana
Office of Public Instruction
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**Montana Fish,
Wildlife & Parks**

Indian Education for All Units related to Montana State Parks

Smith River State Park

January 2010 (revised)

Title

Occupation, Use and Settlement of the Smith River and the Impacts on the Blackfeet Tribe in Montana

Content Areas

Social Studies (U.S. history, U.S. government, Montana history, Blackfeet history)

Grade Levels

9th-12th

Duration

Five 50-minute class periods which include homework assignments

Overview and Objectives

In this lesson, students will explore the settlement (that is, occupation and use) of the Smith River area by first the Blackfeet and then its resettlement by white trappers, miners, farmers, ranchers, and others during the mid-to-late 19th century. Students will explore legal concepts such as “right of conquest” and “natural right” as these pertain to the legal foundation for such primary historical documents as treaties, Executive Orders, and Acts of Congress. Students will explore the process by which the lands comprising the Smith River area were deemed “the territory of the Blackfeet” on the one hand, and then on the other hand opened to white settlement with U.S. Army protection. Students will demonstrate their knowledge of the process of historical transfers of massive parcels of land from Montana Indian tribes such as the Blackfeet to the U.S. Government. In addition, since all 12 present-day Indian tribes used, occupied, or otherwise managed the lands of the greater central Montana region, including the Smith River area, students will demonstrate their knowledge of the contemporary culture of at least one Montana Indian tribe. In this lesson, students will build a vocabulary of relevant terms and concepts regarding federal Indian policy, develop and exercise critical thinking and analysis skills, and discover the importance of multiple perspectives on historical events.

Montana Education Standards and Benchmarks

Indian Education for All

Essential Understanding 1: There is great diversity among the 12 tribal Nations of Montana in their languages, cultures, histories and governments. Each Nation has a distinct and unique cultural heritage that contributes to modern Montana.

Essential Understanding 4: Reservations are land that have been reserved by the tribes for their own use through treaties and was not “given” to them. Some reservations were created through treaties while others were created by statutes or executive orders. The principle that land should be acquired from the Indians only through their consent with treaties involved three assumptions: (1) That both parties to treaties were

sovereign powers; (2) that Indian tribes had some form of transferable title to the land; and (3) that acquisition of Indian lands was solely a government matter not to be left to individual colonists.

Essential Understanding 5: There were many federal policies put into place throughout American history that have impacted Indian people and shape who they are today. Much of Indian history can be related through several major federal policy periods. Examples: (1) Colonization Period; and (2) Treaty Period.

Essential Understanding 6: History is a story and most often related through the subjective experience of the teller. Histories are being rediscovered and revised. History told from an Indian perspective conflicts with what most of mainstream history tells us.

Montana Content Standards

Social Studies Content Standard 1: Students access, synthesize, and evaluate information to communicate and apply social studies knowledge to real world situations. *Rationale: Every discipline has a process by which knowledge is gained or inquiry is made. In the social studies discipline, the information inquiry process is applied to locate and evaluate a variety of primary and secondary sources. Information gathered in this manner is then used to draw conclusions in order to make decisions, solve problems and negotiate conflicts. Finally, as individuals who participate in self-governance, the decision making process needs to be understood and practiced by students as they prepare to take on civic and economic responsibilities.*

Benchmark 1.1 Students will analyze and adapt an inquiry process (i.e., identify question or problem, locate and evaluate potential resources, gather and synthesize information, create a new product, and evaluate product and process).

Benchmark 1.2 Students will apply criteria to evaluate information (e.g., origin, authority, accuracy, bias, and distortion of information and ideas).

Benchmark 1.3 Synthesize and apply information to formulate and support reasoned personal convictions within groups and participate in negotiations to arrive at solutions to differences (e.g., elections, judicial proceedings, economic choices, community service projects).

Social Studies Content Standard 2: Students analyze how people create and change structures of power, authority and governance to understand the operation of government and to demonstrate civic responsibility. *Rationale: The vitality and continuation of a democratic republic depends upon the education and participation of informed citizens.*

Benchmark 2.4 Students will relate the concept of tribal sovereignty to the unique powers of tribal governments as they interact with local, state and federal governments.

Benchmark 2.5b Students will analyze the impact of the Constitution, laws and court decisions on the rights and responsibilities of citizens. [In this less, on Indian peoples even before citizenship.]

Benchmark 2.6 Students will analyze and evaluate conditions, actions and motivations that contribute to conflict and cooperation within and among groups and nations.

Social Studies Content Standard 3: Students apply geographic knowledge and skills (e.g., location, place, human/environment interactions, movement and regions). *Rationale: Students gain geographical perspectives on Montana and the world by studying the Earth and how people interact with places. Knowledge of geography helps students address cultural, economic, social and civic implications of living in various environments.*

Benchmark 3.1 Students will interpret, use and synthesize information from various representations of the Earth.

Benchmark 3.4 Students will analyze how human settlement patterns create cooperation and conflict which influence the division and control of the Earth (e.g., treaties, economics, exploration, borders, religion, exploitation, water rights, etc.)

Benchmark 3.5 Students will select and apply appropriate geographic resources to analyze the interaction of physical and human systems and their impact[s] on environmental and societal changes.

Benchmark 3.7 Students will describe and compare how people create places that reflect culture, human needs, government policy, and current values and ideas. [Examples: reservations, federal territories.]

Social Studies Content Standard 4: Students demonstrate an understanding of the effects of time, continuity, and change on historical and future perspectives and relationships. *Rationale: Students need to understand their historical roots and how events shape the past, present and future of the world. In developing these insights, students must know what life was like in the past and how things change and develop over time. Students gain historical understanding through inquiry of history by researching and interpreting historical events affecting personal, local, tribal, Montana, United States, and world history.*

Benchmark 4.1 Students will select and analyze various documents and primary and secondary sources that have influenced the legal, political and constitutional heritage of Montana and the United States.

Benchmark 4.2 Students will interpret how selected cultures, historical events, periods and patterns of change influence each other.

Benchmark 4.3 Students will apply ideas, theories, methods of inquiry to analyze historical and contemporary developments, and to formulate and defend reasoned decisions on public policy issues.

Benchmark 4.4b Students will analyze issues using historical evidence to form and support a reasoned position.

Benchmark 4.6 Students will investigate, interpret and analyze the impact(s) of multiple historical and contemporary viewpoints concerning events within and across cultures...and political systems.

Benchmark 4.7 Students will analyze and illustrate the major issues concerning [the] history, culture, tribal sovereignty and current status of the American Indian tribes and bands in Montana and the United States.

Social Studies Content Standard 6: Students demonstrate an understanding of the impact of human interaction and cultural diversity on societies. *Rationale: Culture helps us to understand ourselves both as individuals and members of various groups. In a multicultural society, students need to understand multiple perspectives that derive from different cultural vantage points. As citizens, students need to know how institutions are maintained or changed and how they influence individual, cultures and societies. This understanding allows students to relate to people in Montana, American Indian tribes, the United States and throughout the world.*

Benchmark 6.4 Students will evaluate how the unique characteristics of American Indian tribes and other cultural groups have contributed to Montana's history and contemporary life (e.g., legal and political relationships between and among tribal, state and federal governments).

Benchmark 6.5 Students will analyze the impact(s) of ethnic, national and global influences on specific situations or events.

Materials and Resources Needed

- ✓ **Computers and Internet access for research.**
- ✓ **A laptop computer and a projector to show maps in front of class.**
- ✓ **Access to the following websites:**
 - <http://www.trailtribes.org/greatfalls/home.htm> (Blackfeet history and culture, site created by Sally Thompson and Kim Lughart of the University of Montana Regional Learning Project)
 - <http://www.mhs.mt.gov/education/textbook/Chapter7/Chapter7.asp>

- ✓ **“Changes to the Blackfeet Reservation”**—an interactive map showing the size and boundaries of Blackfeet homeland and territories between 1800 and 1895 at <http://www.trailtribes.org/greatfalls/shrinking-reservation.htm>. (Scroll down to the map on the left, click on the map, and then click on each year in the list to see Blackfeet lands.)
- ✓ **Map** showing the boundaries of the Louisiana Purchase.
- ✓ ***A History of Fort Logan (Camp Baker), Montana***, by Thomas E. Twichel. Available from the Montana State University-Bozeman or Carroll College libraries. This publication offers, in a nutshell, the rationale from the white settler-rancher point of view for the intervention of the U.S. Army against the Blackfeet and other Indians on the plains of west-central Montana Territory during the period from 1869-1880.
- ✓ **Fort Laramie Treaty of 1851** from *Indian Affairs: Laws and Treaties Vol. IV, Laws* (Kappler, Charles J, ed.; Washington: Government Printing Office, 1929). URL: http://digital.library.okstate.edu/Kappler/Vol4/html_files/v4p1065b.html
- ✓ **Blackfeet Treaty of 1855** from *Indian Affairs: Laws and Treaties Vol. IV, Laws* (Kappler, Charles J., ed.; Washington: Government Printing Office, 1929). URL: <http://digital.library.okstate.edu/kappler/Vol2/treaties/bla0736.htm>
- ✓ ***Montana, Stories of the Land*** by Krys Holmes, Montana Historical Society Press, 2008. You will need pages 124-130 in Chapter 7: Two Worlds Collide. These can be accessed online at <http://www.mhs.mt.gov/education/textbook/Chapter7/Chapter7.asp>
- ✓ **Attachments A-D included in this lesson plan**

Activities and Procedures

Teacher preparation: Read the Introduction to this lesson. Also, obtain and read the 41-page publication, “A History of Fort Logan (Camp Baker), Montana.” You will want to take notes to share with your class, as this point of view contrasts widely with that of the Blackfeet, whose history you will find at <http://www.trailtribes.org/greatfalls/home.htm>. For a quick read of the history of the treaty-making era, a synopsis of both treaties in this lesson, and for a good map showing 1855 tribal territories, please read pages 124-130 of *Montana, Stories of the Land*.

Class Period 1: Fort Logan/Camp Baker, Intro to Treaties and U.S. federal Indian policies

For this class period you will need:

- ✓ Teacher’s notes on Fort Logan (Camp Baker)
 - ✓ Vocabulary List (to pass out to students)
 - ✓ Maps listed above. For the interactive map called “Changes to the Blackfeet Reservation” go to <http://www.trailtribes.org/greatfalls/shrinking-reservation.htm>. (Scroll down until you find the map on the left. Click on it, then click on “1800” and each subsequent year to see the changing size and boundaries of the Blackfeet territories and reservations. The larger homeland areas overlap with those of other tribes, such as the Kootenai (NW), Cree (N), White Clay (also referred to as the Gros Ventre), Assiniboiné (E), Hidatsa (E), Chippewa (NE), Crow (S) and the south-central areas were used by several Plains and Plateau tribes for hunting bison.
 - ✓ Fort Laramie Treaty of 1851 (1 copy per student, 1 for teacher)
 - ✓ Blackfeet Treaty of 1855 (1 copy for each student and teacher)
1. Using the map of the Louisiana Purchase, very briefly review with your students what the Louisiana Purchase was, who the U.S. obtained this land from, why the French thought they owned it (concept of

“right of conquest”), that the indigenous occupants of this land had never surrendered it and did not acknowledge France’s “right of conquest” ownership, and that not all of the present state of Montana was included in the Louisiana Purchase. Show them on the map the boundaries of the Louisiana Purchase and the boundaries of present-day Montana. (about 5 minutes)

2. Pass out the Vocabulary List (Attachment B) and Blackfeet Historical Timeline (Attachment C). Inform your students that they will need to be filling in the definitions for the terms on the Vocabulary List as they encounter them throughout this lesson, and that the completed Vocabulary List will be due at the beginning of the final class period for this unit. The Timeline is for their reference and they will need to know this material. (2 minutes)
3. Begin the class with a short lecture on Camp Baker and Fort Logan, providing an overview of the rationale from the white point of view for the intervention of the U.S. Army in west-central Montana during 1869-1880 as this is portrayed in the publication, “A History of Fort Logan (Camp Baker), Montana.” You will need to tell your students where Fort Logan and Camp Baker are (and show on a Montana Map), tell when they were established, why the U.S. military was in this area at that time (to “defend citizens”), and provide this point-of-view to your class. (5 minutes)

4. Ask your students, **“Who are ‘citizens’ of the United States in the 1800s?”** They probably won’t know the answer, but they should be able to infer from your lecture that the citizens being referred to are white American settlers. Respond by re-affirming that “citizens” at this time does, indeed, refer to a specific group of people: white Americans. Then ask your students **“Who (as a group of people) were not citizens of the United States at this time?”** The answer is, of course, non-whites (in general) and American Indians (as a group). Take a few minutes to define citizenship to your students. (<5 minutes)

[A few non-whites were citizens, but by and large one citizenship in terms of representation and legal rights excludes non-whites until some American Indians become legal citizens through property ownership and competency (post-Dawes Act) or via the 1924 Indian Citizenship Act. In the Western U.S., tribal people were largely not considered citizens or even eligible for citizenship until one or the other of these two events had occurred, and could not vote until 1924. For most other non-white people, regardless of where they were born or how long their families had lived in the U.S., citizenship in the legal sense (voting rights, property ownership, etc) did not occur until much later. White women, however, were citizens prior to emancipation in 1914, by virtue of their race.]

5. You will be introducing your class to some of the basic premises of federal Indian policy. Begin by telling your class that Indian tribes were considered, from the point-of-view of the U.S. government, to be separate and distinct nations, but that the U.S. considered them **“domestic dependent nations.”** *[The classification as “domestic, dependent nations” came about in the Supreme Court Case “Cherokee Nation v. Georgia” in 1831.]*

Ask your class: **“What do you think the phrase ‘domestic, dependent nations’ means?”** Let them work on it, and help them to take it apart and define it. (domestic = located within lands *claimed* by the United States as “federal territories;” dependent = not foreign, subject to the authority of the United States; nations = having and retaining (some of) their own, inherent sovereignty and self-governance.)

Ask your class: **“Why is it to the advantage of the United States to define, using its own court system and its own constitution, the status of Indian tribes and indigenous people?”** The advantage, of course, is that the U.S. was asserting its own control over the tribes, including those that they had never encountered (such as all of the Western tribes) but whose lands the U.S. would later claim as being part of the United States. In 1831, the immediate advantage for the U.S. was that the nation could override the

absolute sovereignty of tribes without the consent of tribes and assert its own “right” to do so—meaning that, from a U.S. perspective, federal laws and federal powers could prevail and apply to tribes, including decisions like certain Executive Orders, that favored dispossession of tribes’ lands and facilitated colonial expansion of the United States. (Limit discussion of these questions to a total of 10 minutes)

6. Return to the topic of Fort Logan, Camp Baker and the U.S. military having garrisoned the state to protect U.S. citizens. Remind class that Montana was not a state until 1889, and that not all of Montana was even in the Louisiana Purchase. Lead a short discussion on the following questions: (5 minutes)

Why was the military at Fort Logan and Camp Baker?

Why were the settlers in this area? (Montana gold rush since 1860, before that the fur trade had dozens of posts throughout the regions, some came to ranch.)

Whose lands were the American settlers in the Smith River area before 1873?

Were these settlers, in fact, squatters (trespassers who settle illegally on land that is not their own or on which they do not have any legal right to take up settlement)?

7. Using the maps of Montana and tribal territories (pre-1805, 1855) show your class the territories of the Blackfeet, Gros Ventre, Crow and Assiniboine tribes. Also show them the huge chunk of land designated Blackfeet in the 1851 and 1855 treaties but taken away by an Executive Order of 1873. (about 5 minutes)
8. Pass out the copies of the two treaties. Before you begin to analyze these documents, ask your class, **“Why did the United States make treaties with indigenous nations, and what did these treaties establish (in general)?”** *Since this lesson is just an introduction to specific treaties, you do not have to go over all of the possible and complex answers to this question, but students should at least understand the following reasons and consequences of treaties, not all of which they will know without instruction.* (15 minutes or duration of class)
 - Treaties were entered into by both parties as government-to-government agreements, which acknowledges the sovereignty of tribes.
 - Treaties defined tribal territories and boundaries.
 - Treaties specified who could and who could not live within tribal territories or pass through these lands or use the natural resources on these lands.
 - Some treaties acknowledged tribal land cessions to the U.S., established boundaries around lands reserved by tribes for their own occupation (“reservations”), and stated the terms by which the United States was to compensate tribes for these lands.
 - Treaties influenced, and were influenced by, the legal concepts of U.S. **“plenary power”** and **trust relationships** with tribes. Plenary power means a broad, over-arching power or control, but in the case of tribal-federal relations, this power is somewhat limited by the Constitution. (It originates in the Indian Commerce Clause of the U.S. Constitution.) Such power is not, usually, overtly stated in treaties, but has been assumed to be implied by interpretation (from a U.S. perspective). Trust responsibility and plenary powers are further defined or arrived at via several court cases (such as Cherokee Nation v. Georgia (1831), Worcester v. Georgia (1832), and later Supreme Court Cases).

Plenary power--which is conceptually rooted in the assumptions of “right of conquest” and “natural right”-- is an example of one entity, the United States, stating for its own convenience, its broad authority over indigenous nations within “federal territories”—in other words, in any lands “claimed” by the United States—regardless of the actual occupancy or ownership of those

lands and the inherent sovereignty of the indigenous inhabitants. This Constitutional provision enables the U.S. to justify to itself its colonialist expansion via its assumed “right of conquest” or “natural right.”

From a tribal perspective, this was/is an excuse for colonialism and illegal trespass, and it had/has no merit or basis in tribal-federal agreements, other than when specified by treaties and, later, reinforced by U.S. courts. Please note that the tribes were not part of establishing this power, except in certain specific treaties, but that it was assumed to exist by the U.S. These assumptions (of “rights” to other nation’s land, resources, authority) are the basis of colonialism throughout the world, even when, as is generally the case, an indigenous group or a nation does not “surrender” its lands, resources or authority.

Trust responsibility or tribal-federal trust relationship is the acknowledgement that the federal government, via treaties and its extension of plenary powers, has certain fiduciary responsibilities to tribes, such as the protection of reserved tribal lands from encroachment or usurpation by non-tribal people. By and large, the U.S. has not fulfilled its range of trust responsibilities to tribes, which has resulted in a number of court cases such as the Cobell case....Cobell v. Salazar (previously Cobell v. Kempthorne and Cobell v. Norton and Cobell v. Babbitt) is a class-action lawsuit brought by Native American representatives against the United States government. The plaintiffs claim that the U.S. government has incorrectly accounted for Indian trust assets, which belong to individual Native Americans (as beneficial owners) but are managed by the Department of the Interior (as the legal owner and fiduciary trustee). The case was filed in the United States District Court for the District of Columbia.

- Some treaties were “peace” treaties, compelling tribes to an allegiance with the U.S. and/or prohibiting them from engaging in military conflicts with certain other tribes. This does not mean that these tribes “surrendered” to the United States or relinquished their own inherent sovereignty.
- Treaties are used for federal recognition of tribes (legal and political recognition by the U.S. government) and the basis for tribal status in the U.S.
- Not all tribes signed treaties with the U.S.

9. Assign the treaties to be read for homework due for Class Period 2, when the class will be going over both of these treaties article-by-article to ascertain the meaning of each part of the treaty and to discuss the implications for tribes, the U.S. and settlers.

Class Period 2: 1851 Fort Laramie Treaty, 1855 Blackfeet Treaty, Exec. Order of 1873

For this class period, students will need their copies of the two treaties, their vocabulary lists, paper and pencils. You will also need the Introduction to this lesson so that you can describe the Executive Order of 1873 to your class and show them the map of Blackfeet lands 1855-1874. If possible, have a computer, internet access, and projector available so you can view the Montana timeline from the Montana, Stories of the Land website.

1. As a class, read through the 1851 treaty, use maps to illustrate boundaries and pay special attention to the “rights” delineated in this treaty and the protections it afforded. Notice especially which tribe had no representatives to present and did not sign the treaty, which was, nonetheless, ratified by Congress and affected this tribe (Blackfeet). (10 minutes)
2. Go through the 1855 treaty in the same manner, stopping at each paragraph or article to analyze and ascertain its meaning. Students should take notes accordingly and pay extra attention to the difference between the two treaties. (20 minutes)

3. Instruct your class about the particulars of the Executive Order of 1873 as it pertains to the Blackfeet tribe, and show them on the appropriate map how this E.O. changed the borders of the Blackfeet reservation. Lead a short class discussion on the topic of colonialism, U.S. expansion into the West, and the impacts on tribes. You may want to reference the timeline in Chapter 7 of Montana Stories of the Land (pages 124-125) or the Montana Timeline to illustrate the chronology of events for your class. These are available at: <http://www.mhs.mt.gov/education/textbook/Chapter7/Chapter7.asp> (scroll to p.124-125) and: <http://www.mhs.mt.gov/education/textbook/Timeline/textbooktimeline.asp> (5 minutes)
4. Lead a discussion on the Blackfeet and these treaties and the Executive Order of 1873. Use the quote below from a Blackfeet tribal member to wrap up the discussion. (Time: 10 minutes or remainder of class)

“Were we protected? No, we weren’t. We see an encroachment of non-Indians on the southern part of the Blackfoot territory were they discovered minerals in the hills, in just a matter of a short period of time there is a flood of miners that come in and all of a sudden here is something of value to the United States, and they’re going to need access to that land. So, you know Blackfeet were pushed further north into their territory. After the miners came there were the cattlemen that came and they saw these lush... rolling fields of grass, and once again were the Blackfeet protected against the encroachment of them? No, they weren’t! Here comes hundreds of thousands of cattle into the Blackfeet territory, and they [the American settlers] are not paying leases, they’re not buying land, they are just running [cattle] on this property... We negotiated in 1855. Then came the Executive Orders, and, you know, [with] just a whisk of the pen the Blackfeet lost thousands of acres.”

(Lea Whitford, Blackfeet tribal member, 2004. Retrieved on August 8, 2009, from Montana Tribes Digital Archive Project at: http://www.montanatribes.org/digital_archives/files/eu4/LWbBfEU4.pdf)

Class Period 3: Blackfeet Perspectives, Blackfeet History, Multiple Historical Perspectives

For this period, you will need a computer lab and access to the internet for each student or pair of students. Students should bring their Vocabulary Lists and continue working on them in class while doing their research.

1. Assign one topic from the list below to each of your students, distributing the topics as evenly as possible. Each topic on this list is a “hot link” on the webpage called *The Blackfeet* from trailtribes.org at <http://www.trailtribes.org/greatfalls/home.htm> (5 minutes)
 - a. Since Time Immemorial
 - b. Homeland of the Blackfeet
 - c. All My Relations
 - d. Camp Life and Seasonal Round
 - e. Buffalo Hunt
 - f. Before the Long Knives
 - g. The Long Knives
2. Students will go to the website above and locate their topic, take notes, and prepare to present the material to the class the next day. Students should work independently at the computers, but will need to present the designated topic as a group. Draw their attention to the various content links on each page—some of these have related audio or text on the topic. (Allow about 25-30 minutes for their “research” and note-taking)

3. Once students have finished their research, group the students based on who has which topics. (The purpose of grouping them after the research is done is so that one student will not be relied on by the others of that group to do all of the work.) Allow them to compare notes and prepare for their presentation of this material in the next class period. They should also reference their Blackfeet Historical Timelines and use any relevant materials for their presentations.(15 minutes or duration of class)

Class Period 4: Student presentations, finishing vocabulary lists, questions

1. Have each group present for about 6 minutes, making sure that all groups can present during this class period. Each student should contribute something of substance, as all of the students will be tested on this material. (about 45 minutes)
2. Assign the remaining two topics from <http://www.trailtribes.org/greatfalls/home.htm> to your students for homework (Making Treaties and The Shrinking Reservations). Students should review all of the materials on these two topics before the next class. They also need to complete their vocabulary sheets and turn these in at the beginning of next class. Remind them to study the timelines for events and terms listed on the vocabulary.

Class Period 5: Homework due and exam

For this period, students will need pencils and several blank sheets of paper. It is advisable that you provide the paper, to ensure that students do not have an opportunity to look at notes when getting paper out. Teacher can keep a stack of lined paper on his or her desk for use in the exam.

1. Students should turn in their completed vocabulary lists at the beginning of class.
2. Before distributing the exam questions, it is essential that students each put away all his or her notes and that a stack of notebook paper is made available to them or several pieces of paper are distributed to them. Once that is accomplished, distribute the exam and allow the full class period for completion.

Assessment

1. Student participation in and meaningful contribution to class discussion.
2. Student participation in and substantive contributions to group presentations.
3. Completion of vocabulary list.
4. Final written examination.

Extensions and Additional Resources

Invite a Blackfeet tribal historian to speak in your class.

Research tribal sovereignty and federal Indian law; invite an Indian Law speaker to your class (contact the University of Montana Indian Law Clinic in Missoula for potential speakers). For a virtual guest speaker on sovereignty visit this site: http://www.montanatribes.org/digital_archives/matrix_eu7.php?page=eu/eu7

Research other Montana tribes who were also affected by the Fort Laramie Treaty of 1851, Fort Laramie Treaty of 1868 and Blackfeet/Lamebull Treaty of 1855, etc. These tribes include the Gros Ventre (White Clay), Assiniboine, Sioux (Nakoda) and (by omission) the Salish, Kootenai, and Pend d'Oreille, and Crow.

Judy, Mark A. "Powder Keg on the Upper Missouri: Sources of Blackfeet Hostility, 1730-1810," *American Indian Quarterly* 11, No. 2 (1987): 127-144. (Can order from Interlibrary Loan, from Montana State University in Bozeman or University of Montana in Missoula.)

Malone, Michael, et al. Chapter 6, "Indian Removal, 1851-1890," *Montana: a History of Two Centuries*, Revised 1979 Edition (Seattle: University of Washington Press, 1995)

Salish-Pend d'Oreille Culture Committee. *The Salish People and the Lewis and Clark Expedition* (Lincoln: University of Nebraska Press, 2005).

Smith River Historical Society. *The Smith River Journal: A History from Lewis & Clark to 1979* (Great Falls: Author, 1979).

The Journals of Lewis and Clark, Online, Center for Great Plains Studies, University of Nebraska—Lincoln, at <http://www.unl.edu/plains/publications/lewis.shtml>

Thompson, Sally & Kimberly Lughart. "The Blackfeet," *Regional Learning Project of the University of Montana*. URL: <http://www.trailtribes.org/greatfalls/home.htm>

Twichel, Thomas E. "A History of Fort Logan (Camp Baker), Montana" (Cum Laude Recognition, Carroll College, 1957).

Visit the website "The Blackfeet Nation" at <http://www.manataka.org/page255.html> (Manataka American Indian Council) and read the brief history of the Blackfeet bands.

Attachments

Attachment A: Introduction to the History of Smith River State Park

Attachment B: Vocabulary List

Attachment C: Blackfeet Historical Timeline (1700-1924)

Attachment D: Exam Questions for Smith River State Park Lesson

Attachment A—Introduction to the History of Smith River State Park

The Smith River is named after Robert Smith, Secretary of the Navy during the time of the Lewis and Clark Expedition. Like most rivers these explorers encountered, they named it, took its longitude and latitude, and marked it on a map. Thereby, the territory became not only part of the Louisiana Purchase, bought by the United States from France in 1803, but also a location on which Americans had actually trod. The presence of the Lewis and Clark Expedition, actually a U.S. Army operation, enforced and enhanced the U.S. claim to the Smith River and the surrounding land.

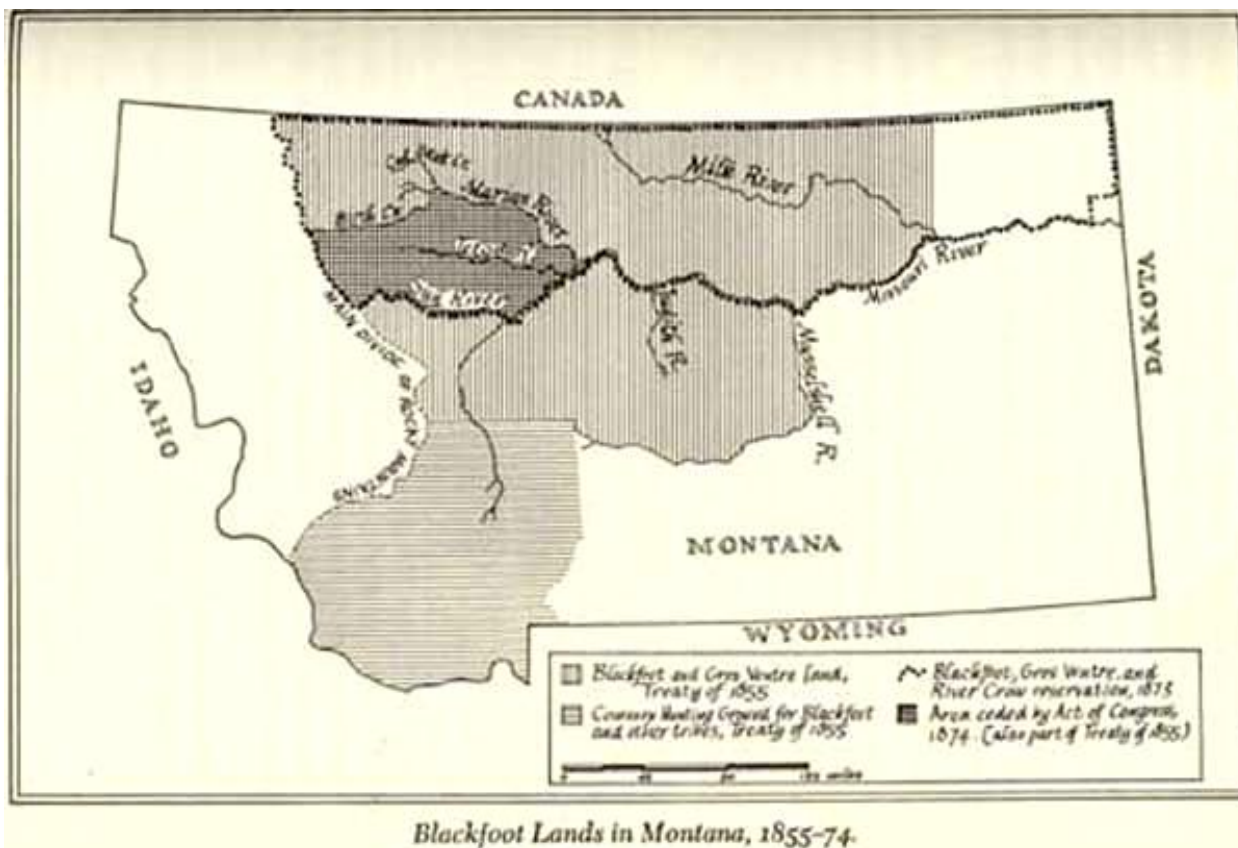
Strangely, these lands that were part of the larger \$15 million purchase had not been actually owned by France, anymore than they were now owned by the United States. But the lands were claimed by one, then the other, by right of conquest, which in turn was based on another right, or natural right (these are all European-law based “rights”). Natural right reasons that if a people are perceived as not making such productive use of the land as to be worthwhile, then other people may take it—kill or otherwise remove its inhabitants, resettle it, and make it productive.

European colonists, and Americans after them, deemed that American Indians were not making good, productive use of the vast lands they occupied and managed. So, the Europeans and Americans believed that they had the legal right to take the Indian land, although for a price. The price of the land, that is, its value was set by the whites.

Article 5 of the Fort Laramie Treaty of 1851 determined that the lands encompassing the Smith River and its surrounding landscape was “the territory of the Blackfoot [sic].” However, Article 1 of the treaty stated, in contradiction to Article 5, that the U.S. Government had extensive rights to build roads, and military and other posts on this land. In exchange for this right, the U.S. paid the following: (a) protection against “depredations” of Indian people by U.S. citizens; and (b) \$50,000 for 50 years, later changed to ten years—although the change, which is certainly significant and has long been challenged by the affected Indian tribes, including the Blackfeet, remained.

Then in 1855, another treaty, the Lane Bull Treaty, was negotiated between the Blackfeet and the U.S. This treaty still stipulated the borders of the Blackfeet territory as that described in the previous treaty. Article 7 of the treaty provided that, “citizens of the United States may live in and pass unmolested through the countries respectively occupied and claimed by them.” The U.S. was also “bound to protect said Indians against depredations and other unlawful acts which white men residing in or passing through their country may commit.” Article 8 of the treaty stated clearly U.S. rights to occupy and manage this land.

For the purpose of establishing travel thoroughfares through their country, and the better to enable the President to execute the provisions of this treaty, the aforesaid nations and tribes do hereby consent and agree, that the United States may, within the countries respectively occupied and claimed by them, construct roads of every description; establish lines of telegraph and military posts; use materials of every description found in the Indian country; build houses for agencies, missions, schools, farms, shops, mills, stations, and for any other purpose for which they may be required, and permanently occupy as much land as may be necessary for the various purposes above enumerated, including the use of wood for fuel and land for grazing, and that the navigation of all lakes and streams shall be forever free to citizens of the United States.



For the virtual ownership of these lands, the U.S. paid the Blackfeet \$20,000 a year for ten years, to be distributed as supplies and equipment “as the President” or his agents saw fit. The 1855 treaty, however, still did not open this vast territory of the Blackfeet to white homesteading or settlement. That is, white settlers, miners, ranchers, etc., still could not actually own the lands they occupied until 1874, when these lands were legally transferred to the U.S. Government.

The Executive Order of 1873, which set apart a reserve for the joint occupancy of the Gros Ventre, Blackfeet, and River Crows, the Great Northern Reservation (see map above), and the Act of Congress in 1874 moved the southern border of Blackfeet territory 200 miles north, thereby, opening lands, including the Smith River Valley, to white settlement. Whereas natural right, as noted above, stipulated that payment for lands taken to increase their productivity be paid for, no compensation to the Blackfeet for the loss of so much land was forthcoming.

Per the treaties and other legal means, the U.S. Army established Camp Baker, later Fort Logan, on the Smith River during 1869-1870. The purpose of the post was to protect white settlers from Indian raiders, even though these whites had taken land in what was legally recognized by the U.S. Government as Blackfeet territory.

Attachment B—Vocabulary List for Students

Name: _____

Date: _____

Instructions: Define or describe each of the terms listed below as you complete the activities (reading, listening, note-taking, research, presentations, etc.) in this lesson. You will need to turn in this vocabulary sheet, completed (attach paper as necessary), at the beginning of the class period when the test/exam takes place. You should work on it each day, adding definitions according to the subjects covered on each day of this unit. You do not have to write on this page, as the space is limited.

Louisiana Purchase

“Natural Right”

“Right of Conquest”

Colonialism

Plenary Power

Trust Responsibility

Treaty

Sovereignty

“Domestic Dependent Nation”

Indigenous

Fort Laramie Treaty of 1851

Blackfeet Treaty of 1855

Executive Order of 1873

Fort Logan and Camp Baker

Indian reservation

Citizen (U.S., 1800s)

Depredations

Smallpox epidemics among the Blackfeet

Baker Massacre (January 23, 1870 on Heavy Runner’s camp)

Blackfeet Tribe (and groups of)

Napi

Blackfeet cosmology (worldview, including their cosmogony—origin story)

Oral history

Blackfeet Seasonal Round

Piegane encounter with Lewis and Clark

White Mountain Chief

Starvation Winter

White Calf

Attachment C—Blackfeet Historical Timeline

(Source: excerpt from “The Blackfeet Nation” at <http://www.manataka.org/page255.html> Retrieved on 08/10/2009.)

1806 Meriwether Lewis (of Lewis and Clark) encounters Blackfeet (Piegan) at the junction of Two Medicine River and Badger Creek. Lewis kills one Piegan who was trying to steal a gun.

1809 Trader Alexander Henry compiles a census of the Blackfeet, finding a total of 5,200 people among the Piegan, Blackfeet, and Blood tribes.

1824 The Bureau of Indian Affairs established within the U.S. War Department.

1831 First peaceful trade between the Americans and Blackfeet by Kenneth McKenzie.

1831 Blackfeet horse raiders recorded at Arkansas River in southern Colorado.

1833 Prince Maxmillian, a German scientist-explorer, and Karl Bodner, a Swiss artist, spend a month with the Blackfeet at Fort McKenzie. Maxmillian becomes the first white observer to describe the Blackfeet men's societies; Bodner paints portraits of Blackfeet leaders.

1837 Second smallpox epidemic kills nearly 6,000 Blackfeet, two-thirds of the total population.

1844 Blackfeet kill a trader. Traders retaliate.

1846 Father DeSmet conducts the first Catholic Mass among the Blackfeet, mainly children are baptized.

1849 War party of 800 Blackfeet attack Assiniboiné horse raiders and kill 52.

1855 "Lame Bull's Treaty is signed. As first such peace treaty between the Blackfeet and the US Government it defines the boundaries of "The Blackfeet Nation."

1860 White settlers begin to enter Blackfeet country.

1863 Annuity payments from the US Government to the Blackfeet do not arrive. Blackfeet send letter of protest to Washington.

1865 Fighting breaks out between the Blackfeet and white settlers.

1869 Malcolm Clark killed by Piegan warriors in retaliation for the killing of Mountain Chief's brother.

1870 Massacre on the Marias River. U.S. Soldiers mistakenly attack the camp of Heavy Runner, a friendly chief, while looking for the murderers of Clark. Over 200 killed, 140 women and children captured. Blackfeet never face the U.S. Army in battle again.

1872 First school for Blackfeet children opened at Teton River Agency.

1874 By act of Congress, the Blackfeet reservation boundary moved northward to Birch Creek-Marias River line. The Blackfeet are neither consulted nor remunerated.

1875 Agent John Wood urges the Blackfeet to organize. Little Plume elected as head chief, Generous Women and White Calf as subordinate chiefs. New tribal code written.

1878 Prairie fires destroy grasslands west of Canada's Cypress Hills, driving the great buffalo herds south into Montana, never to return north again.

1882 Blackfeet winter buffalo hunt in Montana is successful. No hint that the buffalo would disappear.

1883-84 Starvation Winter. Buffalo herds suddenly disappear. 600 Blackfeet starve during the winter and spring. The Blackfeet become sedentary people, dependent on government rations.

1887* Blackfeet forced out of necessity to sell the eastern portion of their lands (millions of acres), out of which are created the Fort Belknap and Fort Peck Indian reservations. This is known as "The Time We Lost the Sweetgrass Hills" (A very culturally significant region, the Sweetgrass Hills are still important to the Blackfeet and used by them for cultural purposes.)

1889 First group of Blackfeet admitted to Carlisle Indian School in Pennsylvania.

1892 Boarding school for the Blackfeet opens at Willow Creek, west of present-day Browning.

1893 Completion for the Great Northern Transcontinental Railroad through Blackfeet country.

1896 Blackfeet sell the land that is to become Glacier National Park for the sum of \$1,500,00 to be paid at \$150,000 per year for ten years.

1903 White Calf, last head chief of the Piegan Blackfeet, dies while visiting Washington, D.C.

1910 U.S. Census reports that 2,268 Indians are living on the Blackfeet reservation, about the same number that lived there in 1885.

1907-12 U.S. policy to treat the Indian reservation as property of the entire tribe is reversed in favor of a policy of allotment. Blackfeet reservation land is divided among individual Indians, each receiving 320 acres, held in trust by the government.

1920 Blackfeet cattle herds wiped out by a severe winter. Starvation follows.

1924 American Indians become citizens of the United States.

* This information has been added and was not included in the source cited above.

Attachment D—Exam Questions for Smith River State Park Lesson

Name: _____

Date: _____

Instructions: Please provide a thorough answer to each of the following questions, using additional sheets of paper as necessary. The answers do not have to be in full sentences as long as your meanings are clear and concise. When you are finished, staple this page onto your responses.

1. Define “right of conquest” and “natural right.” How are these assumptions tools of colonialist expansion?
2. Define “plenary power” as it relates to federal-tribal relations.
3. Define “domestic dependent nation.”
4. Describe in one paragraph some of the central components of Blackfeet cosmology.
5. Where have Blackfeet lived historically, and what other tribes’ territories have overlapped with that of the Blackfeet? Also, name the groups that make up the Blackfeet tribe.
6. What are some of the primary characteristics of Blackfeet culture?
7. Where is the Blackfeet reservation located today? How does this reservation compare to earlier reserved lands as specified in treaties and by Executive Order?
8. Name 3 of the treaties, Executive Orders or Acts of Congress related to the Blackfeet and describe the main points of each one. Include in your answer: the name of the treaty (etc.), the year it was established or went into effect, the main provisions and stipulations.
9. How did non-Indians (American settlers, companies, the government, etc) benefit from the reduction of tribal lands and from the stipulations in the treaties, etc.?
10. What was the Baker Massacre (Marias River Massacre), when was it and who was involved?
11. Why was Camp Baker/Fort Logan established?
12. When was the Starvation Winter, and who/what caused the conditions that lead to this starvation? How many Blackfeet died then?
13. Who was White Mountain Chief and what is historically significant about him?
14. What is the legal status of Blackfeet tribe? What does this mean?
15. To what rights or privileges are Blackfeet people entitled as a federally recognized tribe?
16. What is “trust responsibility” as it relates to federally recognized tribes and what are two things that this trust is supposed to protect or provide?
17. How do you think tribal oral histories and tribal historical accounts of events better help us understand American history? Please explain your answer, using *at least* one example from this lesson.